

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Robert Carty, Individually and as Parent and
Next Friend of E.C.,

Plaintiff,

v.

United Parcel Service, Inc.,

Defendant.

Case No. _____

DECLARATION IN SUPPORT OF
DEFENDANT'S NOTICE OF REMOVAL

I, Jonathan M. Eck, Esq., hereby declare as follows:

1. I am an attorney with the law firm of Devine, Millimet & Branch, Professional Association, counsel for the Defendant, United Parcel Service, Inc. (the "Defendant"), in the above-captioned litigation.

2. I submit this Declaration in support of Defendant's Notice of Removal.

3. Prior to the filing of the action in the Strafford County Superior Court of the State of New Hampshire on March 14, 2019, titled *Robert Carty, individually, and as Parent and Next Friend of [E.C.]*, Case No. 219-2019-CV-00135, counsel for Plaintiff Robert Carty (the "Plaintiff") provided me with copies of medical bills Plaintiff claims arose from a closed head injury allegedly suffered by Plaintiff's minor child, E.C., which Plaintiff asserts resulted from UPS's alleged negligence.

4. Plaintiff has produced medical bills in the combined total gross/face amount of \$70,300.61. In referencing this gross/face amount, UPS is not waiving its argument, which it

expressly reserves, that Plaintiff may not recover damages based on the gross/face amount of the medical bills.

5. Taking into account both the medical bills and the fact that Plaintiff seeks to recover alleged damages for pain and suffering, the amount in controversy in this case exceeds \$75,000.00.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 2nd day of April 2019, at Manchester, New Hampshire.

/s/ Jonathan Eck

Jonathan M. Eck, Esq. (NHBA No. 17684)

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